

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3902 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

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1. Whether Reporters of Local Papers may be allowed
to see the judgements? Yes

2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy
of the judgement? No

4. Whether this case involves a substantial question
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?
No

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Versus

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Appearance:

MR Saurin A. Mehta for Mr. SI NANAVATI for Petitioner
MR P.K. Shastri for Mr. D.A. Bambhania, Solicitor to
Government for respondents.

CORAM : R.K.ABICHANDANI, J

Date of decision: 26/08/96

ORAL JUDGEMENT

At the request of both the sides, the matter is
taken up for final disposal. The learned counsel for the
petitioner places on record a copy of letter dated
19.5.1993 written by the Superintending Engineer, a copy
of which is sent to the petitioner recording the fact
that an amount of Rs. 51,600.52 ps was due to be paid to

the petitioner, out of which certain amounts have been paid. The Superintending Engineer had forwarded a cheque of Rs. 17,196.80ps being the remaining amount to the learned A.G.P. for payment to the petitioner. The learned counsel appearing for both the sides state that the amount of Rs. 14,403.72ps as well as the amount of Rs. 17,196.80ps are deposited with the Registry. It is stated by the learned A.G.P. that the respondents have no objection if the said amounts are paid to the petitioner. The learned counsel for the petitioner states that with the payment of both these amounts, the petitioner will have received all his dues and therefore the petition has become infructuous. The amounts of Rs. 14,403.72 ps and Rs. 17,196.80 ps are therefore directed to be paid to the petitioner with accrued interest, if any, forthwith. The petition having thus become infructuous is rejected. Rule is discharged with no order as to costs.

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